

Title 33
ENVIRONMENTAL QUALITY
Part IX. Water Quality Regulations

Chapter 13. Louisiana Water Pollution Control Fee System Regulation

§1303. Authority

These regulations provide fees as required by R.S. 30:2014(B) and 2089.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq., and in particular Section 2014(B).

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Water Resources, LR 11:534 (May 1985), amended LR**.

§1307. Definitions

All terms used in these regulations, unless the context otherwise requires or unless specifically defined in the Louisiana Environmental Quality Act, or in substantive regulations promulgated by the secretary of the Department of Environmental Quality, shall have their usual meaning. In addition, for purposes of these regulations, the following definitions apply:

* * *

[See Prior Text]

Facility-for the purposes of the Louisiana Water Pollution Control Fee System, a pollution source, or any public or private property or site and all contiguous land and structures, other appurtenances and improvements, where an activity is conducted ~~which that~~ discharges or may result in the discharge of pollutants into waters of the state.

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[See Prior Text]

Major Facility-for the purposes of the Louisiana Water Pollution Control Fee System, any facility classified as such by the administrative authority.

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[See Prior Text]

Permit or License-for the purposes of the Louisiana Water Pollution Control Fee System, written authorization issued by the administrative authority to discharge, emit, or dispose of liquid, gaseous, semi-solid or solid waste or reusable materials, or radioactive material from or at a site or facility, including all conditions set forth therein.

~~Secretary the secretary of the Department of Environmental Quality.~~

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq., and in particular Section 2014(B).

HISTORICAL NOTE: Promulgated by the Department of Environmental

Quality, Office of Water Resources, LR 11:534 (May 1985), amended LR 18:731 (July 1992), amended by the Office of Management and Finance, Fiscal Services Division, LR 22:19 (January 1996), amended by the Office of Water Resources, LR**.

§1309. Fee System

A. Applicability. Fees established by these regulations shall be applicable to all facilities subject to regulation under the Louisiana Water Control Law, R.S. 30:2071 et seq., including those with no discharge and/or closed system permits, ~~or any federal NPDES permit where permitting authority has been delegated to the department.~~

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[See Prior Text in B-B.2]

3. The rate factor shall be ~~\$97.50 per rating point for municipal facilities and \$179.16 per rating point for all other facilities~~applied per rating point as follows:

a. for municipal facilities:

- i. \$97.50 per rating point through June 30, 1998;
- ii. \$104.81 per rating point from July 1, 1998, through June 30, 1999; and
- iii. \$112.12 per rating point as of July 1, 1999; and

b. for all other facilities:

- i. \$179.16 per rating point through June 30, 1998;
- ii. \$192.60 per rating point from July 1, 1998, through June 30, 1999; and
- iii. \$206.30206.03 per rating point as of July 1, 1999.

* * *

[See Prior Text in B.4-C.2]

3. This fee shall be 20 percent of the calculated annual fee but not less than ~~\$227.50~~the minimum annual fee, as defined in Subsection E.1 of this Section.

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[See Prior Text in D-D.2]

3. This fee shall be 20 percent of the calculated annual fee but not less than~~\$227.50~~the minimum annual fee, as defined in Subsection E.1 of this Section, for permit actions requiring implementation of the public notice procedure.

4. For all other permit actions, ~~For all other permit actions,~~ this fee shall be 10 percent of the calculated annual fee but not less than ~~\$227.50~~for all other permit actions the minimum annual fee, as defined in Subsection E.1 of this Section.

E. Minimum and Maximum Annual Fee

1. The minimum annual fee shall be:

- a. \$227.50 through June 30, 1998;
- b. \$244.56 from July 1, 1998, through June 30, 1999; and
- c. \$261.63 as of July 1, 1999.

2. The maximum annual fee shall be:
- a. \$94,500 through June 30, 1998;
 - b. \$101,587.50 from July 1, 1998, through June 30, 1999; and
 - c. \$108,675.00 as of July 1, 1999.

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[See Prior Text in F-M]

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq., and in particular Section 2014(B).

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Water Resources, LR 11:534 (May 1985), amended LR 14:626 (September 1988), LR 18:731 (July 1992), LR 21:798 (August 1995), amended by the Office of Management and Finance, Fiscal Services Division, LR 22:19 (January 1996), amended by the Office of Water Resources, LR**.

§1311. Instructions For Completing Municipal Facility Annual Fee Rating Worksheet

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[See Prior Text in A-A.2]

3. Check the applicable complexity designation and record the associated points in the complexity points blank. Note: Any industrial category not listed in LAC 33:IX.1319 is automatically assigned a Complexity Designation I except under the circumstances noted in LAC 33:IX.1309.~~¶~~L.2.

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[See Prior Text in A.4-G]

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq., and in particular Section 2014(B).

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Water Resources, LR 11:534 (May 1985), amended LR 14:627 (September 1988), LR 18:732 (July 1992), LR**.

§1315. Instructions For Completing Industrial Facility Annual Fee Rating Worksheet

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[See Prior Text in A-A.2]

3. Check the applicable complexity designation and record the associated points in the complexity points blank. Note: Any industrial category not listed in LAC 33:IX.1319 is automatically assigned a Complexity Designation I except under the circumstances noted in LAC 33:IX.1309.~~¶~~L.2.

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[See Prior Text in A.4-G]

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq., and in particular Section 2014(B).

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Water Resources, LR 18:733 (July 1992), amended LR**.